The Chicago Tribune.

VOL. 24. CHICAGO, MONDAY, APRIL 10, 1871. NO. 249.

FOREIGN.

The Revolution in Paris.

Desperate Fighting Around the City on Saturday.

Bells from the Government Batteries Fall in the Champs Elysees.

The National Forces fast Closing in on the Insurgents.

Desperate Struggle Expected at the Gates of the City.

Gunboats Sent Up the Seine to Assist in the Seige.

FRANCE.

DESPERATE FIGHTING AROUND PARIS.

LONDON, April 9—2 a. m.—There was desperate fighting around Paris on Saturday. Fort Valerien and the advanced batteries of the Army of Versailles steadily bombarded Forts Issalles, their guns falling in Champs Elysees. An engagement took place at Ville Juif, and there were attempted Sorties and Reliancourt. All the southern forts have resumed firing. Two government forces are gaining ground in front of Mont Rouge and Montre

DESPERATE STRUGGLE EXPECTED.

A decisive struggle is expected at the gates of Paris. It is reported that M. Thiers in person is to lead an entrance into Paris by fighting, and he is there to reduce the city by investment.

ARMY, POSITIONS CARMONARDED.

At 9 o'clock last night the commands at Forts [illegible] had their points committed with great exactness.

FIGHTING AMONG THEMSELVES.

To-day a conflict occurred among the insurgent [illegible] in the Rue du Faubourg St. Antoine. [illegible] of the refusal of a portion of the Central Guard to march against the Versailles.

ARMY, POSITIONS CARMONARDED.

At 9 o'clock last night the commands at Forts [illegible] had their points committed with great exactness.

DESPERATE FIGHTING AROUND THE CHAMPS ELYSEES.

To-day a conflict occurred among the insurgent [illegible] in the Rue du Faubourg St. Antoine. [illegible] of the refusal of a portion of the Central Guard to march against the Versailles.

IN THE CITY.

The Moniteur reports that Delescluze is united [illegible] ; that the ambulance service in Paris [illegible], and the wounded are suffering [illegible] for want of proper attendance.

Revolutionary visits will be made to-morrow to [illegible] for refractory Nationals.

A recent decree of the commune has been [illegible] to 21 to make military service [illegible] ; [illegible] sory on all between the ages of 19 and 40.

[illegible] ARE UP YET IN PARIS.

A bottle of gunpowder has been sent from Havre [illegible] to assist in the operations against Paris.

CHERBOURG.

[illegible] ARE ALL QUIET.

Despatches from Cherbourg, on Saturday, [illegible] ; [illegible] ; [illegible] ;

The Chicago Tribune.

Terms of Subscription (Payable in Advance)
Daily, delivered, Sunday excepted, 25 cents per week.
Daily, delivered, Sunday included, 30 cents per week.
Address TRIBUNE COMPANY, Chicago, Ill.

MONDAY, APRIL 10, 1871.

THE SCHOOL BILL.

The House of Representatives has passed a bill for the enforcement of personal and political rights which is of very questionable propriety. Through a great misapprehension of that proposed by Mr. Shellabarger, which was itself a modification of Patterson's bill, it is, nevertheless, in our view, an unwarranted assumption of power. It is unnecessary to state, at this day, although the Supreme Court, with but one dissenting voice, has asserted it to be within it very few days, that the General Government is distinct and separate in all its functions from the State Governments. That, wherever the United States has jurisdiction, it is full and complete, and exclusive. That, wherever the State and General Governments may have concurrent jurisdiction; but, whenever the United States exercises that jurisdiction, the State authority becomes subordinate. Congress has no power to punish in any criminal code, except for offences committed against the laws of the United States, or offences committed upon the high seas, or against the law of nations, or in the District of Columbia, or other places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings, in which the United States have exclusive legislative jurisdiction. The constitution limited the legislative authority for the punishment of crimes to these offences, except in cases where the law of impeachment is involved, and in cases in which no State has any legislative authority. Piracy on the high seas, robbing the mail, counterfeiting, and offences against the law of nations, false swearing to obtain money from the National Treasury, resisting the United States officers in executing the United States laws, or any other class of offence committed beyond the limits of jurisdiction of any State, are not cognizable by State authority, are the limit of the national authority.

The bill just passed proposes, for the first time in the history of the United States, to destroy this fundamental constitutional boundary between the jurisdiction of the States and of the General Government. Heretofore Congress in the Civil Rights bill, provided that in all cases where the State laws or State Constitution made no provision for the protection of any class of citizens, leaving them at outcasts, such persons might have recourse to the Federal Courts, and there be treated as the State Courts would treat them. This would be perfectly proper, if it stopped there; but that was a provision for a class of cases where the State refused to exercise its authority, and all the United States assumed to do in that case was by enforce the State laws equally for the protection of the citizens of the State. This bill goes beyond that. It provides that if two or more persons shall conspire together for the purpose "of depriving any person or any class of persons of the equal protection of the laws, or of equal privileges or immunities under the laws, or to injure any person in his person or property, for lawfully enforcing the right of any person or class of persons to the equal protection of the laws," and be convicted, such person may be fined $5,000, and imprisoned for not over six years. The supposition of this provision is, that the State officers, judges, sheriffs, and jurors, who refuse to enforce the constitutionality. The case applies in Illinois as well as in North Carolina, and yet here is a provision which transfers, in general terms, jurisdiction over every offence known to the criminal code of the State to which it can be charged this "two or more persons conspired together" to commit it. Combinations of two persons, by two or more persons, to obtain the property of or to injure other persons, are so common offences and as varied in the particular acts sought as any other crimes; they include the crimes of fraud, false imprisonment, false imprisonment, forged wills and other papers, cases of abortion, or house-breaking, where two or more persons are concerned, for which ample statutory provision is made by the State laws. Are they now made against the United States? Are these offences committed in localities over which the States have no legislative jurisdiction? Are the punishments of these offences by the Federal Courts, under new and extraordinary penalties, necessary to the execution of any national authority for any constitutional purpose? If this be a power there is not a criminal code in Christendom that is not a criminal code in Christendom that is not a criminal code in the United States for conspiracy to commit any crime who may not plead in bar that the United States have assumed exclusive jurisdiction over the offence, as against State laws and State authority. Every such man convicted by a State Court may appeal to the Federal authority for protection against such conviction, thus producing a most unnecessary conflict of judicial authority, in which that of the State is threatened with annihilation.

The United States Constitution, as it was clearly referred to, has just decided, with but one dissenting voice, that the State judiciary is so far beyond the control of the National Government, and so independent of it in its legislative authority that the salaries of its Judges are not liable to taxation for Federal purposes. This decision rests upon the same principle which prohibits the States from taxing Federal bonds and securities, because of their bankruptcy to that taxed, the States might destroy the credit of the General Government. The Constitution of the United States recognizes the existence of State Governments, and, in the Tenth Amendment, and fastens to Congress any power to destroy them, or to weaken, impair, or limit their legitimate jurisdiction and functions. The Supreme Court, so long ago as the time of Chief Justice Marshall, declared that

"all the powers which relate to merely municipal legislation, or what may perhaps more properly be called internal police, are reserved to the States, and, consequently, to the people. No direct general power over these objects is granted to Congress, and consequently, any act of Congress, which shall not be made in pursuance of the constitution, is void."

This bill goes further, and, in its equally unconstitutional way, authorizes the President to employ the military power of the United States in any State whenever the State authorities "shall fail or neglect to maintain and enforce therein any right secured by law by proclamation to declare a riot against a liquor law, or a miners' strike, or any other disorder in a State, to be a rebellion against the United States, whenever, in his opinion, the public safety may require it, to suspend the writ of habeas corpus, declare martial law, and to settle all civil authority in any State. All this against the plain letter of the constitution, and prohibits any interposition for such purpose by the President in any State except upon the application of the Legislature or Executive of the State, and then only "to the State Government." It remains for the public to excuse this legislation, which is a time of profound peace, silence of no plea of necessity, on the ground that it enables the President to suppress a rebellion, any Court, civil authority has failed. S. Even the President the same powers in Ohio and Illinois as in Alabama and Texas, and that this bill, if it become a law, will become a precedent, under the example of which other and still more dangerous violations of State authority may hereafter be made, and laws shall be established a central despotism, clothed with power to decide upon its own powers, and to put into execution upon its own decisions, not only the will of the people, but of the States.

If, however, the time has come when such legislation is really demanded by the people, if the time has arrived when it will be acquiesced in by the people of the States, although it is a palpable violation of the constitution, or that it can be done directly, but it could be declared in the amendment that the courts of the United States shall have exclusive jurisdiction of offences committed in the States against State laws, and that the President may march troops into any State whenever he thinks it to be necessary for the due execution of the laws. Such legislation as this bill provides would be a usurpation of power, and a violation of the constitution, and, if it be allowed to stand, so far as anything can support, has not failed of her duty as a wife in any respect. Upon her return to the city from a visit to Minnesota a few days since, he produced documents which he deemed it important that she should know, which led to a strong remonstrance from herself and her husband. The fact that this information had been communicated to her brother visited the wrath of Dr. Scanland upon him, although it was not a previous altercation between Leonard with which the Doctor had [illegible] Leonard with an apology for [illegible] Dr. Scanland, feeling a personal assault, and being a much weaker man physically than Dr. Scanland, had prepared himself for it. Mrs. Scanland seems to have been [illegible] starting herself as a peace-maker. Doctor was [illegible] she [illegible] so far as anything [illegible] had not failed [illegible]

WASHINGTON.

Special Dispatch to The Chicago Tribune.

CHARLEY SMITH AND THE CHRISTIANS.

Charley Smith to-day held a long interview with the President, the principal topic being the Ku-Klux. Mr. Smith expresses great satisfaction over the course of the President in turning the whole force of the Government against the Ku-Klux, and says the people will rejoice and add to the strength of the Republican party. Many members of the Republicans, who have differed widely with him upon the question of amnesty.

THE KU-KLUX.

The Senate Judiciary Committee had a meeting to-day to consider the House Ku-Klux bill. It was decided to report it very nearly as it came from the House. Several verbal amendments will be made, but none of importance. The committee will ask to have the subject put by Thursday, and that the vote may be taken that day. The general intention at present is to secure an adjournment a week from Monday.

By the Associated Press.

WASHINGTON, April 10.—Subscriptions to the Jackson Bill to-day amounted to half a million dollars. Secretary Boutwell is expected to return to Washington to-night.

THE SENATORSHIP.

Senators Morton and Chandler, deputized with ex-Senator Wade, had a conference with the President to-day.

RELIEVED.

Colonel E. Schriver, Inspector General, is relieved from duty in the War Department and as Inspector of the Military Academy.

THE WAR DEPARTMENT.

The Senate, yesterday, after coming out of executive session, confirmed the nomination of Secretary of the Army to General Schenck as Minister of England, and Judge Cox, of New York, as Secretary of the Civil Commission, on the Alabama claims. The latter will sail for England on the 15th inst.

THE WAR IN PENNSYLVANIA

Not So Bad as at First Reported.

Arrival of Troops at Harrisburg.

Special Dispatch to The Chicago Tribune.

HARRISBURG, April 10.—The reports from Scranton, received by the papers of this city, are not entirely correct. The reports of the riots were based upon the statements of two persons who were the witnesses of a small body of the Workingmen's Benevolent Association, who were marching peaceably through the city. Their procession was the occasion for a small body of roughs to collect, and they threw mud and stones at the members of the procession. Some of the latter broke ranks and pursued the roughs, and one or two shots were fired by the latter. The Workingmen's Benevolent Association has not one or two cases among its members, and the procession was the occasion of

THE SCANLAND TRAGEDY.

Investigation by the Coroner into the Details of the Homicide.

The Jury Find that Leonard was not Justified in Firing the Shot.

Interesting Statement by Mrs. Agnes Leonard Scanland.

The Heart-Broken Wife's Recital of Her Wrongs.

A "Flirtation" and Its Consequence.

THE INQUEST.

Coroner Stephenson Saturday summoned a jury to hold an inquest upon the remains of Dr. E. S. Scanland, shot by F. A. Leonard on Friday night. The jury assembled in the Woman's Home, corner of Jackson and Halsted streets, to the no little bewilderment of the lady occupants. The jury was an exceptionally intelligent one, the gentleman using Dr. Kelly. The post-mortem examination was made by Dr. Ben C. Miller, in the house of the deceased. The necessary preliminaries having been made, the jury proceeded to view the body, after which they met in the reception room of the Lesbos House. Here the eye-witness and jury took their seats. The fair Witness smiled was the Coroner called her.

TESTIMONY OF MRS. SMILLIE.

Dr. Ben C. Miller, sworn: I am County Physician; made a post-mortem examination of the body of Dr. E. S. Scanland, No. 245 West Jackson street; found a wound penetrating the abdomen of a character to cause death; the wound was in the left side, about two inches below the nipple; the course of the ball was downward and backward; the ball was not found; the wound was the cause of death.

Mrs. Agnes Smillie, sworn: I live at No. 245 West Jackson street; I am a widow; I have been living there about two months; I have known Dr. Scanland and family about two months; I have known Mr. Leonard about two months; I have been acquainted with Mrs. Leonard about two months; I have been in the habit of visiting Mrs. Scanland's house; I was there on Friday night last; I was in the house when the shooting occurred; I was in the parlor; I heard the report of a pistol; I was sitting in the parlor with Mrs. Scanland; I heard the report; I was sitting on the sofa; I was sitting with my back to the window; I heard a report as of a pistol; I looked around; I saw Mrs. Leonard standing in the window; I saw a pistol in her hand; I saw the smoke; I saw Mrs. Leonard fire the pistol; I saw her fire it; I saw her fire it twice; I saw her fire it the second time; I saw her fire it the first time; I saw her fire it the second time; I saw her fire it the first time; I saw her fire it the second time; I saw her fire it the first time